

Please be advised that this is an electronic reproduction of Legislative proceedings and does not represent the official record of floor actions that are contained in the House and Senate Final Journals. This media is intended for personal, educational or research purposes only and should not be used for commercial or political purposes.



HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SEVENTY-THIRD LEGISLATIVE DAY
WEDNESDAY, MARCH 25, 2015

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Janel Prigge, Page.

3RD ORDER

Approval of Journal

March 25, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-second Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

4TH ORDER

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

March 24, 2015

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

[H 124](#)

As Always - Idaho, "Esto Perpetua"
/s/ C.L. "Butch" Otter
Governor

THE OFFICE OF THE GOVERNOR
Boise

March 24, 2015

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I am transmitting today to the Secretary of State the following House bill which will be allowed to become law without my signature within the time limited by law:

[H 75](#)

as prescribed by the Constitution.

I support exempting eyeglasses, eyeglass components and contact lenses from Idaho's 6-percent sales tax. These are the last medical devices subject to the State sales tax, and there is no justification for that to continue.

However, my concerns and my decision to allow House Bill 75 to become law without my signature stem from the potential cost in General Fund tax dollars as stated in the legislation's fiscal impact statement. Both \$1.4 million in foregone revenue during fiscal 2016 and \$2.8 million in each subsequent year is a substantial bite from an apple on which more and more public interests rely for sustenance.

The Senate seemed to reflect that concern in its 18-17 vote for legislation that was approved so handily in the House. I encourage the Tax Commission, the Division of Financial Management, JFAC and all legislators to closely monitor the actual fiscal impacts with an eye toward a continuous practice of prioritization and judicious use of General Fund dollars - whether expended or foregone.

As Always - Idaho, "Esto Perpetua"
/s/ C.L. "Butch" Otter
Governor

March 24, 2015

Mr. Speaker:

I return herewith enrolled [H 104](#), [H 116](#), [H 117](#), [H 129](#), [H 132](#), [H 137](#), as amended, [H 158](#), [H 160](#), [H 163](#), [H 240](#), [H 247](#), [H 248](#), [H 249](#), [H 250](#), [H 251](#), [H 253](#), and [H 254](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 104](#), [H 116](#), [H 117](#), [H 129](#), [H 132](#), [H 137](#), as amended, [H 158](#), [H 160](#), [H 163](#), [H 240](#), [H 247](#), [H 248](#), [H 249](#), [H 250](#), [H 251](#), [H 253](#), and [H 254](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 24, 2015

Mr. Speaker:

I transmit herewith [S 1146](#), as amended, [S 1156](#), and [S 1171](#) which have passed the Senate.

NOVAK, Secretary

[S 1146](#), as amended, [S 1156](#), and [S 1171](#) were filed for first reading.

March 24, 2015

Mr. Speaker:

I return herewith [H 99](#), [H 208](#), [H 220](#), [H 185](#), [H 264](#), [H 263](#), [H 197](#), [H 195](#), [H 268](#), [H 271](#), [H 272](#), [H 273](#), [H 183](#), [H 179](#), [H 221](#), [H 236](#), [H 237](#), [H 184](#), [H 274](#), and [H 276](#) which have passed the Senate.

NOVAK, Secretary

[H 99](#), [H 208](#), [H 220](#), [H 185](#), [H 264](#), [H 263](#), [H 197](#), [H 195](#), [H 268](#), [H 271](#), [H 272](#), [H 273](#), [H 183](#), [H 179](#), [H 221](#), [H 236](#), [H 237](#), [H 184](#), [H 274](#), and [H 276](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 24, 2015

Mr. Speaker:

I return herewith [H 109](#), as amended in the Senate, [H 202](#), as amended in the Senate, and [H 167](#), as amended in the Senate, which have passed the Senate.

NOVAK, Secretary

[H 109](#), as amended in the Senate, [H 202](#), as amended in the Senate, and [H 167](#), as amended in the Senate, were ordered held at the Desk.

Mr. Erpelding asked unanimous consent that the House concur in the Senate amendments to [H 109](#), as amended in the Senate. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that the House concur in the Senate amendments to [H 202](#), as amended in the Senate. There being no objection, it was so ordered.

Mr. Harris asked unanimous consent that the House concur in the Senate amendments to [H 167](#), as amended in the Senate. There being no objection, it was so ordered.

[H 109](#), as amended in the Senate, [H 202](#), as amended in the Senate, and [H 167](#), as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

5TH ORDER Report of Standing Committees

March 25, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 306](#) and [H 307](#).

WILLS, Chairman

[H 306](#) and [H 307](#) were referred to the Education Committee.

March 25, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 99](#), [H 179](#), [H 183](#), [H 184](#), [H 185](#), [H 195](#), [H 197](#), [H 208](#), [H 220](#), [H 221](#), [H 236](#), [H 237](#), [H 263](#), [H 264](#), [H 268](#), [H 271](#), [H 272](#), [H 273](#), [H 274](#), and [H 276](#).

WILLS, Chairman

The Speaker announced he was about to sign enrolled [H 99](#), [H 179](#), [H 183](#), [H 184](#), [H 185](#), [H 195](#), [H 197](#), [H 208](#), [H 220](#), [H 221](#), [H 236](#), [H 237](#), [H 263](#), [H 264](#), [H 268](#), [H 271](#), [H 272](#), [H 273](#), [H 274](#), and [H 276](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 25, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed [H 113](#), as amended in the Senate, and [H 154](#), as amended in the Senate.

WILLS, Chairman

[H 113](#), as amended in the Senate, and [H 154](#), as amended in the Senate, were filed for first reading of engrossed bills.

March 25, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 30](#), [H 46](#), [H 59](#), [H 78](#), [H 81](#), [H 90](#), [H 91](#), [H 101](#), [H 102](#), [H 107](#), [H 120](#), as amended, [H 121](#), [H 126](#), [H 128](#), [H 143](#), [H 148](#), [H 153](#), [H 156](#), [H 159](#), [H 172](#), [H 178](#), [H 190](#), [H 209](#), [H 226](#), [H 227](#), [H 228](#), [H 229](#), [H 230](#), [H 231](#), and [H 232](#) to the Governor at 10:15 a.m., as of this date, March 24, 2015.

WILLS, Chairman

March 25, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [HCR 13](#) to the Secretary of State at 10:15 a.m., as of this date, March 24, 2015.

WILLS, Chairman

March 24, 2015

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [S 1062](#), as amended, as amended, and recommend that it do pass.

WOOD, Chairman

[S 1062](#), as amended, as amended, was filed for second reading.

March 24, 2015

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 302](#) and recommend that it do pass.

DEMORDAUNT, Chairman

[H 302](#) was filed for second reading.

March 24, 2015

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [S 1066](#) and [SCR 118](#) and recommend that they do pass.

LOERTSCHER, Chairman

[S 1066](#) and [SCR 118](#) were filed for second reading.

March 24, 2015

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration [H 303](#) and recommend that it do pass.

LUKER, Chairman

[H 303](#) was filed for second reading.

March 24, 2015

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [S 1113](#) and recommend that it do pass.

ANDRUS, Chairman

[S 1113](#) was filed for second reading.

March 25, 2015

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 300](#) and recommend that it do pass.

DEMORDAUNT, Chairman

[H 300](#) was filed for second reading.

March 25, 2015

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [HCR 23](#), [S 1047](#), and [S 1112](#) and recommend that they do pass.

LOERTSCHER, Chairman

[HCR 23](#), [S 1047](#), and [S 1112](#) were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

7TH ORDER

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 24

BY HEALTH AND WELFARE COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND ENDORSING EFFORTS BY THE IDAHO CAREGIVER ALLIANCE TO CREATE A TASK FORCE TO EXPLORE INNOVATIVE MEANS TO SUPPORT UNCOMPENSATED FAMILY CAREGIVERS IN IDAHO.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, family caregivers are an essential part of Idaho's health care system, providing uncompensated support and care to ill or disabled family members or loved ones; and

WHEREAS, family caregivers are valued community members who are the backbone of Idaho's long-term care system; and

WHEREAS, the State Healthcare Innovation Plan is focused on redesigning Idaho's health care delivery system to evolve from a fee-for-service, volume-based system to a value-based system of care based on improved health outcomes; and

WHEREAS, uncompensated family caregivers in Idaho are an essential part of the medical neighborhood, the medical neighborhood being the array of services that are available to patients beyond the scope of a patient-centered medical home; and

WHEREAS, the State Healthcare Innovation Plan envisions better connection of the patient-centered medical home to the rest of the medical neighborhood in order to improve care coordination and care quality and reduce costs and duplication of services; and

WHEREAS, half of Idaho's 44 counties are frontier, with fewer than seven persons per square mile, resulting in areas that lack access to many levels of health care, including access to caregiving resources; and

WHEREAS, the population of the state that is 65 years and older is projected to reach 370,000 in 2032, a significant increase from 2012, and this demographic represents the fastest growing population in the state; and

WHEREAS, Idaho has 137,099 veterans, with an estimated 19,041 who suffer disabilities, including 1,645 who are completely disabled; and

WHEREAS, an estimated 53,280 Idaho children have a special health care need, and an estimated 18,820 have a serious emotional disorder; and

WHEREAS, providing services and support to Idahoans in their homes and communities is generally less expensive than institutional care; and

WHEREAS, individuals who receive care at home are less likely to need public assistance; and

WHEREAS, at any time during the year an estimated 307,000 adults in Idaho provide care to adult relatives or friends, which equates to an estimated value of \$2 billion per year; and

WHEREAS, approximately two-thirds of Idaho's unpaid caregivers are employed or looking for work, and their caregiving responsibilities therefore have an economic impact on families and employers in Idaho; and

WHEREAS, more than half of care recipients are under the age of 75, and almost one-third are under the age of 50, thus indicating that caregiving is a multigenerational issue in family life that also impacts a broad spectrum of individuals with chronic illnesses that necessitate family caregiving throughout the lifespan; and

WHEREAS, approximately 22,000 Idahoans are living with Alzheimer's Disease or a related disorder, and an estimated 77,000 individuals, many of whom are unpaid, provide caregiving responsibilities for people with Alzheimer's Disease or a related disorder; and

WHEREAS, to successfully address the surging population of older adults and people with disabilities who have significant needs for long-term services and support, the state must develop methods that both encourage and support individuals who assist family members and must also develop ways to recruit and retain a qualified, responsive in-home care workforce.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the House of Representatives and the Senate concurring therein, that we endorse the efforts of the Idaho Caregiver Alliance and encourage their plans to create a task force to explore innovative means to support uncompensated family caregivers in Idaho and to provide information to those who may serve as a caregiver in the future.

BE IT FURTHER RESOLVED that we encourage the task force to explore policies, resources and programs available for family caregivers and make this information available to the State Healthcare Innovation Plan leaders as a potential resource for the medical neighborhood model.

BE IT FURTHER RESOLVED that we encourage the task force to compile an inventory of the resources available to family caregivers in Idaho.

BE IT FURTHER RESOLVED that we encourage the task force to report its findings to the Second Regular Session of the Sixty-third Idaho Legislature.

[HCR 24](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

8TH ORDER

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 308

BY EDUCATION COMMITTEE

AN ACT

RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-5208, IDAHO CODE, TO PROVIDE THAT CERTAIN CODE PROVISIONS RELATING

TO PUPIL SERVICE STAFF ALLOWANCE DO NOT APPLY TO PUBLIC CHARTER SCHOOLS.

HOUSE BILL NO. 309
BY EDUCATION COMMITTEE
AN ACT

RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING CHAPTER 52, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-5217, IDAHO CODE, TO CREATE THE PUBLIC CHARTER SCHOOL DEBT RESERVE, TO PROVIDE CONDITIONS TO USE THE PUBLIC CHARTER SCHOOL DEBT RESERVE, TO PROVIDE FOR APPROVAL FROM THE IDAHO HOUSING AND FINANCE ASSOCIATION, TO ESTABLISH THE PUBLIC CHARTER SCHOOL DEBT RESERVE FUND, TO PROVIDE FOR CONTINUOUS APPROPRIATION, TO PROVIDE FOR THE DEPOSIT OF CERTAIN MONEYS INTO THE FUND, TO ESTABLISH PROVISIONS CONCERNING A DEFAULT ON AN OUTSTANDING DEBT AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 310
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO TRANSPORTATION; AMENDING SECTION 40-701, IDAHO CODE, TO REVISE APPORTIONMENT PROVISIONS RELATING TO THE HIGHWAY DISTRIBUTION ACCOUNT; AMENDING SECTION 57-814, IDAHO CODE, TO PROVIDE FOR THE TRANSFER OF CERTAIN GENERAL FUND COLLECTIONS TO THE STATE HIGHWAY ACCOUNT; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 311
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO TAXATION POLICY; AMENDING SECTION 63-2402, IDAHO CODE, TO REVISE THE TAX IMPOSED ON MOTOR FUEL AND TO ESTABLISH PROVISIONS CONCERNING A FLOOR STOCK TAX; AMENDING SECTION 63-2412, IDAHO CODE, TO ESTABLISH ADDITIONAL PROVISIONS CONCERNING THE DISTRIBUTION OF TAX REVENUES FROM TAX ON MOTOR FUEL; AMENDING SECTION 63-2418, IDAHO CODE, TO ESTABLISH ADDITIONAL PROVISIONS CONCERNING THE DISTRIBUTION OF TAX REVENUES FROM TAX ON SPECIAL FUELS; AMENDING SECTION 63-3024, IDAHO CODE, TO ESTABLISH ADDITIONAL PROVISIONS CONCERNING IDAHO TAXABLE INCOME; REPEALING SECTION 63-3024A, IDAHO CODE, RELATING TO THE GROCERY TAX CREDIT; AMENDING SECTION 63-3067, IDAHO CODE, TO PROVIDE THAT A CERTAIN SUM SHALL BE DISTRIBUTED ON A DATE CERTAIN TO OFFSET THE LOSS OF REVENUES CAUSED BY THE REPEAL OF THE FOOD TAX CREDIT; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3622VV, IDAHO CODE, TO PROVIDE A SALES AND USE TAX EXEMPTION FOR FOOD SOLD FOR HUMAN CONSUMPTION AND TO PROVIDE A DEFINITION OF "FOOD"; AMENDING SECTION 63-3638, IDAHO CODE, TO ESTABLISH ADDITIONAL PROVISIONS CONCERNING PAYMENTS FROM THE REVENUE SHARING ACCOUNT; REPEALING SECTION 63-3638, IDAHO CODE, RELATING TO SALES

TAX DISTRIBUTION; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3638, IDAHO CODE, TO PROVIDE FOR THE DISTRIBUTION OF MONEYS COLLECTED ON SALES TAX; PROVIDING SEVERABILITY; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES.

HOUSE BILL NO. 312
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO TRANSPORTATION; AMENDING SECTION 49-402, IDAHO CODE, TO REVISE REGISTRATION FEES; AMENDING SECTION 49-434, IDAHO CODE, TO PROVIDE FOR ADDITIONAL REGISTRATION FEES; AND AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-457, IDAHO CODE, TO PROVIDE A FEE FOR ELECTRIC AND HYBRID VEHICLES AND TO PROVIDE FOR THE DEPOSIT OF FEES.

[H 308](#), [H 309](#), [H 310](#), [H 311](#), and [H 312](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1146](#), as amended, and [S 1156](#), by State Affairs Committee, were introduced, read the first time by title, and referred to the State Affairs Committee.

[S 1171](#), by Finance Committee, was introduced, read the first time by title, and filed for second reading.

9TH ORDER
First Reading of Engrossed Bills

[H 113](#), as amended in the Senate, and [H 154](#), as amended in the Senate, by State Affairs Committee, were introduced, read the first time by title, and filed for second reading.

10TH ORDER
Second Reading of Bills and Joint Resolutions

[H 286](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

[S 1071](#), as amended, by Education Committee, was read the second time by title and filed for third reading.

[H 298](#), by Health and Welfare Committee, was read the second time by title and filed for third reading.

[HCR 19](#), by Ways and Means Committee, was read the second time by title and filed for third reading.

[H 291](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[HJM 9](#), by Ways and Means Committee, was read the second time by title and filed for third reading.

[S 1033](#), as amended, [S 1041](#), as amended, [S 1136](#), and [SCR 124](#), by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

12TH ORDER

Consideration of General Orders

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Rusche. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Crane in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

March 25, 2015

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration [H 265](#), [S 1098](#), [S 1104](#), [S 1073](#), and [S 1069](#), as amended, as amended, and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO H.B. NO. 265

AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 28, following "aries." insert: "Idaho's member to the commission shall be appointed by the president pro tempore of the senate and the speaker of the house of representatives and shall serve at their pleasure."

HOUSE AMENDMENT TO S.B. NO. 1098

AMENDMENT TO SECTION 1

On page 4 of the printed bill, in line 13, delete "rights"; also in line 13, delete "and licensing".

HOUSE AMENDMENT TO S.B. NO. 1104

AMENDMENT TO SECTION 1

On page 1 of the printed bill, following line 18, insert:

"(3) The state's matching funds shall be provided from the veterans recognition fund established in section 65-702, Idaho Code, and shall not exceed the amount in such fund."

HOUSE AMENDMENT TO S.B. NO. 1073

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 11 through 41; delete page 2 and on page 3, delete lines 1 through 8, and insert:

"22-2402. DEFINITIONS. As used in this chapter:

(1) "Agency" means:

(a) In the case of the federal government, any authority which exercises administrative control over defined areas of federal lands within the state of Idaho;

(b) In the case of the state of Idaho, any department, board, commission, or institution;

(c) In the case of local government, cities, counties and any legal subdivisions thereof, drainage districts, irrigation districts, canal companies, highway districts, or any special taxing district.

(2) "Applicable fund or account" means:

(a) In the case of the state of Idaho, the noxious weed account, which is hereby created and established in the dedicated fund and which shall be used exclusively for the purposes prescribed by this chapter;

(b) In each county, the noxious weed fund, which is hereby created and established and shall be maintained in each county and which shall be used exclusively for the purposes prescribed by this chapter.

(3) "Aquatic plant" means any plant growing in, or closely associated with, the aquatic environment and includes, but is not limited to, riparian plants.

(4) "Article" means a particular kind of object, and includes any type of conveyance, mode of transport or associated materials such as water.

(5) "Classical biological control" means the introduction of control agents into a region, that is not part of their natural range, to suppress permanently the populations of selected target weeds usually also introduced into that region. "Augmentative biological control" means the supplemental release of control agents into a region, that is part of their natural range, to suppress permanently the populations of selected target weeds.

(6) "Containment" means halting the spread of a weed infestation beyond specified boundaries.

(57) "Control" means any or all of the following: prevention, rehabilitation, eradication or modified treatments.

(68) "Control authority" means:

(a) On the state level, the director of the department of agriculture;

(b) On the county level, the board of county commissioners.

(79) "Cooperative weed management area (CWMA)" means a distinguishable hydrologic, vegetative or geographic zone based upon geography, weed infestations, climate or human-use patterns. Cooperative weed management areas may be composed of a portion of a county, a county, portions of several counties, or portions of one (1) or more states.

(810) "Department" means the Idaho state department of agriculture.

(911) "Director" means the director of the department of agriculture or the director's designated agent.

(102) "Eradication" means the elimination of a noxious weed based on absence as determined by a visual inspection by the control authority during the current growing season.

(143) "Integrated weed management plan (IWMP)" means a plan developed to manage, control or eradicate a noxious weed(s) from a cooperative weed management area or other weed management area. Integrated weed management strategies may include, but are not limited to, prevention, cultural, mechanical, chemical and biological methods.

(124) "Land" means all soil or water or other growing medium.

(135) "Landowner" means:

(a) The person who holds legal title to the land, except that portion for which another person has the right to exclude others from possession of the parcel; or

(b) A person with an interest in a parcel of land such that the person has the right to exclude others from possession of the parcel.

(146) "Modified treatment" means treatment specified in an integrated weed management plan.

(157) "Noxious weed" means any plant having the potential to cause injury to public health, crops, livestock, land or other property; and which is designated as noxious by the director.

(168) "Person" means any individual, partnership, firm, agency, corporation, company, society or association.

(179) "Prevention" means:

(a) Any action that reduces the potential for the introduction or establishment of a plant species in areas not currently infested with that species; or

(b) Any action that deters the spread of noxious weeds.

(4820) "Quarantine" means the regulation of the production, movement, or existence of plants, plant products, animals, animal products, or any other article or material, or the normal activity of persons, to prevent or limit introduction or spread of noxious weeds.

(4921) "Rehabilitation" means the process of reconditioning formerly weed infested land to a productive or desirable condition.

(202) "Riparian" means the green, vegetated areas along the edge of water bodies like rivers, creeks, canals, lakes, springs, sloughs, potholes and wetlands. They are the transition zone between upland and aquatic ecosystems. Underlying saturated soil is a key feature in riparian areas.

(243) "State noxious weed advisory committee" means an advisory committee appointed by the director to advise and to assist in development, modification and direction of a statewide noxious weed management strategy.

(24) "Viable" means a plant or plant part capable of surviving or living successfully, especially under particular environmental conditions.

(225) "Waters" means all the accumulations of water, surface and underground, natural and artificial, public and private, or parts thereof which are wholly or partially within, which flow through, or which border upon the state.

(236) "Weed control advisory committee" means a committee established by weed control agencies or authorities, at the county level, or a steering committee of a cooperative weed management area, to develop and to recommend implementation of integrated weed management plans and strategies.

(27) "Hybrid" means the offspring of two (2) plants of different breeds, varieties, species or genera.

(28) "Releasing" means releasing, placing, planting, or causing to be released, a species in a water body, facility, water supply system, field, garden, planted area, ecosystem or otherwise into the environment within the state of Idaho.

(29) "Researcher" means someone who has the generally accepted education, experience and position within the biological control research community.

(30) "Research facility" means any laboratory, institution, college or university, at which scientific tests, experiments or peer-reviewed investigations involving the use of any living plants is carried out, conducted or attempted and that receives funds under a grant, award or contract from a department, agency, or instrumentality of the United States for the purpose of carrying out research, tests or experiments and that uses generally accepted protocols at an equivalent or higher level than a U.S. center for disease control and prevention biosafety level 1 facility."

AMENDMENT TO SECTION 2

On page 3, delete lines 11 through 49; delete page 4; and on page 5, delete lines 1 through 12, and insert:

"22-2404. STATE POWERS. (1) The director is authorized to:

- (a) Investigate the subject of noxious weeds; and
- (b) Require information, annual work plans and reports from each county and from each state agency as to the presence of noxious weeds and other information relative to noxious weeds and the control thereof; and
- (c) To cooperate with agencies and persons in carrying out the director's duties under this chapter, and to conduct matters

outside this state in the interest of state noxious weed control; and

(d) Advise and confer as to the extent of noxious weed infestations and the methods of control; and

(e) Assist counties in the training of county weed superintendents; and

(f) Call and attend meetings and conferences dealing with the subject of noxious weeds; and

(g) Disseminate information and conduct educational campaigns independently or in cooperation with others; and

(h) Appoint a state noxious weed advisory committee, as provided by section 22-103, Idaho Code, to aid in the development and implementation of a statewide noxious weed management strategy, aid in evaluation of cost share projects and research proposals, and advise the director on matters pertaining to the state noxious weed program; and

(i) Procure materials and equipment; and

(j) Inspect and certify Idaho crops and imports and exports to verify freedom from noxious weeds, and authorize others to conduct such inspections and certification; and

(k) Enter on any public or private land at reasonable times for the purpose of carrying out the provisions of this chapter; and

(l) Apply to any court of competent jurisdiction for a search warrant authorizing access to any land where access was denied and sought for the purposes set forth in this chapter. The court may, upon such application, issue the search warrant for the purposes requested; and

(m) Perform such other acts as may be necessary or appropriate to the administration of the provisions of this chapter; and

(n) Cooperate with the federal government or any established agency thereof in any program of noxious weed control which shall be deemed advisable for the welfare of the people of the state of Idaho, accept any advisable program and make any necessary rules which are not in contradiction to the purposes of this chapter; and

(o) Accept any gift, grant, contract or other funds, or grants-in-aid from the federal government or other entities for noxious weed control purposes and account for such moneys as prescribed by the state controller, and all such funds are hereby appropriated to the purpose for which they are received; and

(p) Initiate agreements with federal agencies in accordance with applicable federal laws; and

(q) Control noxious weeds on federal land within the state, with or without reimbursement, and with the consent of the federal agency involved; and

(r) Take any appropriate action necessary to control or quarantine noxious weed infestations whenever an actual or potential emergency situation exists concerning noxious weed infestations anywhere in the state; and

(s) Initiate cooperative agreements with other agencies and states for the establishment and support of cooperative weed management areas; and

(t) Aid other weed control agencies or authorities in developing and implementing integrated weed management plans for control of noxious weeds; and

(u) Temporarily designate a weed as noxious for up to fifteen (15) months, after publication in a newspaper of general circulation serving the area of infestation; and

(v) Authorize the issuance of deficiency warrants for the purposes of defraying excess costs for the control of noxious weeds for emergency situations, in the event the actual cost for the control of noxious weeds in any one (1) year exceeds the appropriations made for that purpose. When so

authorized the state controller shall draw deficiency warrants against the general account; and

(w) Allow the collection, removal and movement of noxious weeds by a researcher from an infested area in Idaho to a facility within Idaho when available within the state of Idaho for purposes of biological control research, so long as the following conditions are satisfied and certified by the researcher and the director in legally binding and notarized documents:

1. The director is notified in writing by the researcher the precise details of the proposed research project at least thirty (30) days prior to any contemplated collection, removal or movement of noxious weeds. The director and specialist staff shall conduct a review of the proposed research project and complete a written project approval plan that includes details of all appropriate actions that will be taken to ensure implementation and protection of the authority of the director as outlined in section 22-2403, Idaho Code, the state powers as outlined in section 22-2404, Idaho Code, the county duties as outlined in section 22-2405, Idaho Code, the county powers as outlined in section 22-2406, Idaho Code, the landowner duties as outlined in section 22-2407, Idaho Code, and the landowner and citizen powers as outlined in section 22-2408, Idaho Code. The researcher shall take no action prior to written approval from all control authorities. The written approval process shall also contain a notification to all other appropriate entities as outlined in this chapter;

2. The collection, removal and movement activities are certified in writing that they will be conducted using methods and protocols prescribed and generally accepted in the biological control research community that prevent the dissemination of noxious weeds;

3. The biological control agent that is the subject of the research is not a plant pest within the meaning of the plant pest act of 2002, an invasive species within the meaning of the invasive species act of 2008 or a viable noxious weed within the meaning of this chapter;

4. Viable noxious weeds, as determined by the department, are not reintroduced into the environment as a component or result of the biological control research;

5. Any articles, including but not limited to plant parts, that are collected for transport as part of biological control research must be destroyed or treated at the research facility in such a way as to destroy the viability of any plant pests, invasive species, hybrids and noxious weeds; and

6. The project is conducted in accordance with such other conditions as may be set in the written approval document by the director to ensure containment during collection, removal and movement of the noxious weed.

Penalties for intentional transportation or release of a biological control agent shall not exceed those established in the plant protection act (Title 7, USC 7734).

Should it be necessary to transport a biological control agent into or out of the state of Idaho all appropriate biological control protocols shall be followed as delineated by the appropriate federal agencies such as the USDA animal plant health inspection service plant protection quarantine (USDA APHIS PPQ).

None of the actions authorized in this paragraph shall be carried out until the director both outlines the actions and certifies to the board of examiners that the specific funding and personnel necessary for all actions is available within the

current operational budget of the Idaho state department of agriculture.

(2) If at any time the director determines that the county commissioners have failed to cooperate or carry out their duties and responsibilities as a control authority, the director shall notify them of the deficiency, and suggest corrective action. If the situation is not satisfactorily corrected within seven (7) days after the time outlined in the director's corrective action plan, the director shall initiate appropriate action and charge to the county all expenses including the hiring of necessary labor and equipment. Quarantine of specific crops or potential noxious weed propagating activities may be a part of the control program."

CORRECTION TO TITLE

On page 1, delete lines 2 through 7, and insert:

"RELATING TO NOXIOUS WEEDS; AMENDING SECTION 22-2402, IDAHO CODE, TO DEFINE TERMS AND TO REVISE A DEFINITION; AND AMENDING SECTION 22-2404, IDAHO CODE, TO AUTHORIZE THE DIRECTOR OF THE IDAHO STATE DEPARTMENT OF AGRICULTURE TO ALLOW THE COLLECTION, REMOVAL AND MOVEMENT OF NOXIOUS WEEDS FROM AN INFESTED AREA TO A FACILITY WITHIN THE STATE FOR PURPOSES OF BIOLOGICAL CONTROL RESEARCH, TO PROVIDE CONDITIONS, TO PROVIDE A LIMITATION ON PENALTIES, TO PROVIDE FOR COMPLIANCE WITH SPECIFIED PROTOCOL AND TO PROVIDE CONDITIONS PRIOR TO IMPLEMENTATION OF SPECIFIED PROVISIONS."

HOUSE AMENDMENT TO S.B. NO. 1069, As Amended, As Amended

AMENDMENT TO THE BILL

On page 1 of the engrossed bill, following line 14, insert:

"SECTION 1. That Section 11-101, Idaho Code, be, and the same is hereby amended to read as follows:

11-101. TIME WITHIN WHICH EXECUTION MAY ISSUE – STAY PENDING DISPOSITION OF MOTIONS. Except as provided in section 5-245, Idaho Code, for execution on judgments for support of a child, the party in whose favor judgment is given may, at any time within five ~~ten~~ (5~~10~~) years after the entry thereof, have a writ of execution issued for its enforcement, subject to the right of the court to stay execution as provided by the rules adopted by the supreme court.";

and renumber all the subsequent sections accordingly.

CORRECTION TO TITLE

On page 1, in line 2, following "JUDGMENTS;" insert: "AMENDING SECTION 11-101, IDAHO CODE, TO PROVIDE FOR EXECUTION ON JUDGMENTS FOR SUPPORT OF A CHILD, THE PARTY IN WHOSE FAVOR JUDGMENT IS GIVEN MAY, AT ANY TIME WITHIN TEN YEARS AFTER THE ENTRY, HAVE A WRIT OF EXECUTION ISSUED FOR ITS ENFORCEMENT WITH CONDITIONS;"

We have also had under consideration [S 1061](#), as amended, report progress and beg leave to sit again.

CRANE, Chairman

Mr. Crane moved that the report be adopted. Seconded by Mr. Rusche.

Whereupon the Speaker declared the report adopted.

[H 265](#), as amended, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

[S 1098](#), as amended in the House, [S 1104](#), as amended in the House, [S 1073](#), as amended in the House, and [S 1069](#), as amended, as amended, as amended in the House, were filed for first reading.

[S 1061](#), as amended, was retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

5TH ORDER Report of Standing Committees

March 25, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 24](#), [H 308](#), [H 309](#), [H 310](#), [H 311](#), and [H 312](#).

WILLS, Chairman

[HCR 24](#) and [H 308](#) were filed for second reading.

[H 309](#) was referred to the Education Committee.

[H 310](#) and [H 312](#) were referred to the Transportation and Defense Committee.

[H 311](#) was referred to the Revenue and Taxation Committee.

There being no objection, the House advanced to the Eleventh Order of Business.

11TH ORDER Third Reading of Bills and Joint Resolutions

Mr. Crane asked unanimous consent that [H 260](#) retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

[H 17](#), as amended in the Senate - MOTOR VEHICLES - AUTOCYCLES

[H 17](#), as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Palmer to open debate.

The question being, "Shall [H 17](#), as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo,

VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 69.

NAYS – None.

Absent – Hixon. Total – 1.

Total – 70.

Whereupon the Speaker declared [H 17](#), as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

[H 194](#), as amended in the Senate - MOTOR VEHICLES

[H 194](#), as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Palmer to open debate.

The question being, "Shall [H 194](#), as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Gannon, Gestrin, Gibbs, Harris, Hartgen, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Packer, Palmer, Pence, Raybould, Redman, Romrell, Rubel, Rudolph, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wood, Youngblood, Mr. Speaker. Total – 63.

NAYS – Erpelding, Kloc, Nye, Perry, Rusche, Wintrow. Total – 6.

Absent – Hixon. Total – 1.

Total – 70.

Whereupon the Speaker declared [H 194](#), as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

[H 157](#), as amended in the Senate - IDAHO STATE POLICE

[H 157](#), as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. McDonald to open debate.

The question being, "Shall [H 157](#), as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Raybould, Redman, Romrell, Rubel, Rudolph, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 65.

NAYS – Barbieri, Gestrin, King, Perry, Rusche. Total – 5.

Total – 70.

Whereupon the Speaker declared [H 157](#), as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle asked unanimous consent to hold [S 1011](#) on the Third Reading Calendar for one legislative day. Mr. Andrus objected.

Mr. Moyle moved to hold [S 1011](#) on the Third Reading Calendar for one legislative day. Mr. Rusche seconded the motion.

The question being, "Shall the motion pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Barbieri, Bateman, Batt, Bell, Boyle, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Gannon, Gestrin, Gibbs, Hartgen, Hixon, Holtzclaw, Horman, Kauffman, Kerby, Kloc, Loertscher, Luker, McDonald, McMillan, Mendive, Miller, Moyle, Nate, Nye, Palmer, Perry, Raybould, Redman, Rubel, Rusche, Sims, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wood, Youngblood, Mr. Speaker. Total – 49.

NAYS – Andrus, Beyeler, Burtenshaw, Chew, Dixon, Erpelding, Harris, Jordan, King, Malek, McCrostie, Monks, Nielsen, Packer, Pence, Romrell, Rudolph, Scott, Shepherd, Smith, Wintrow. Total – 21.

Total – 70.

Whereupon the Speaker declared the motion passed and [S 1011](#) was held on the Third Reading Calendar for one legislative day.

[S 1157](#) - APPROPRIATIONS - PARDONS AND PAROLE COMMISSION

[S 1157](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gannon to open debate.

The question being, "Shall [S 1157](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Mr. Speaker. Total – 66.

NAYS – Jordan, Sims. Total – 2.

Absent – Smith, Youngblood. Total – 2.

Total – 70.

Whereupon the Speaker declared that [S 1157](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1158](#) - APPROPRIATIONS - PARKS AND RECREATION DEPARTMENT

[S 1158](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Miller to open debate.

The question being, "Shall [S 1158](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Chew, Clow, Collins, Crane, DeMordaunt, Erpelding, Gannon, Gestrin, Gibbs, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, Mendive, Miller, Monks, Moyle, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Shepherd, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Mr. Speaker. Total – 60.

NAYS – Barbieri, Cheatham, Dayley, Dixon, Harris, McMillan, Nate, Scott, Sims. Total – 9.

Absent – Youngblood. Total – 1.

Total – 70.

Whereupon the Speaker declared that [S 1158](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1159](#) retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

[S 1160](#) - APPROPRIATIONS - WOLF CONTROL FUND

[S 1160](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gibbs to open debate.

The question being, "Shall [S 1160](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Kauffman, Kerby, Loertscher, Malek, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Packer, Palmer, Perry, Raybould, Redman, Romrell, Scott, Shepherd, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wood, Mr. Speaker. Total – 53.

NAYS – Chew, Erpelding, Gannon, Jordan, King, Kloc, Luker, McCrostie, Nye, Pence, Rubel, Rudolph, Rusche, Sims, *Smith, Wintrow. Total – 16.

Absent – Youngblood. Total – 1.

Total – 70.

* Corrected by unanimous consent.

Whereupon the Speaker declared that [S 1160](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that the House recess until 1:30 p.m. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House at recess until 1:30 p.m.

RECESS
Afternoon Session

At this time, the Speaker recognized Mr. Gibbs to open debate.

The question being, "Shall [S 1164](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Burtenshaw, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Mr. Speaker. Total – 66.

NAYS – None.

Absent – Boyle, Chew, Monks, Youngblood. Total – 4.

Total – 70.

Whereupon the Speaker declared that [S 1164](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1165](#) retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

[S 1166](#) - APPROPRIATIONS - DEPARTMENT OF COMMERCE

[S 1166](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Horman to open debate.

The question being, "Shall [S 1166](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Bateman, Batt, Bell, Beyeler, Burtenshaw, Chaney, Clow, Collins, Crane, Dayley, DeMordaunt, Erpelding, Gannon, Gestrin, Gibbs, Hartgen, Hixon, Holtzclaw, Horman, Kauffman, Kerby, King, Kloc, Malek, McCrostie, McDonald, Mendive, Miller, Moyle, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Shepherd, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Mr. Speaker. Total – 55.

NAYS – Barbieri, Cheatham, Dixon, Harris, Jordan, Loertscher, Luker, McMillan, Nate, Scott, Sims. Total – 11.

Absent – Boyle, Chew, Monks, Youngblood. Total – 4.

Total – 70.

Whereupon the Speaker declared that [S 1166](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Seventh Order of Business.

7TH ORDER

Motions, Memorials, and Resolutions

[H 286](#) - PROPERTY EXEMPT FROM TAXATION

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 286](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [H 286](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Burtenshaw, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Mr. Speaker. Total – 66.

NAYS – None.

Absent – Boyle, Chew, Monks, Youngblood. Total – 4.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 286](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall [H 286](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Burtenshaw, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, McCrostie, McDonald, McMillan, Mendive, Miller, Moyle, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Shepherd, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Mr. Speaker. Total – 62.

NAYS – Nate, Scott, Sims. Total – 3.

Absent – Boyle, Chew, Malek, Monks, Youngblood. Total – 5.

Total – 70.

Whereupon the Speaker declared that [H 286](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 298](#) - MEDICAID

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 298](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [H 298](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Burtenshaw, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Mr. Speaker. Total – 66.

NAYS – None.

Absent – Boyle, Chew, Monks, Youngblood. Total – 4.
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 298](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Perry to open debate.

The question being, "Shall [H 298](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Bateman, Batt, Bell, Beyeler, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Erpelding, Gannon, Gestrin, Gibbs, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, Mendive, Miller, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Mr. Speaker. Total – 60.

NAYS – Barbieri, Dixon, Harris, McMillan, Scott, Shepherd, Sims. Total – 7.

Absent – Boyle, Monks, Youngblood. Total – 3.

Paired Votes:

AYE – Chew NAY – Sims

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that [H 298](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[HCR 19](#) - EMERGENCY MEDICAL SERVICES

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [HCR 19](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [HCR 19](#) be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Burtenshaw, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman,

Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Mr. Speaker. Total – 66.

NAYS – None.

Absent – Boyle, Chew, Monks, Youngblood. Total – 4.
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [HCR 19](#) was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Malek to open debate.

The question being, "Shall [HCR 19](#) be adopted?"

Whereupon the Speaker declared [HCR 19](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

[H 291](#) - PUBLIC RECORDS

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 291](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [H 291](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Burtenshaw, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Mr. Speaker. Total – 66.

NAYS – None.

Absent – Boyle, Chew, Monks, Youngblood. Total – 4.
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 291](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Miller to open debate.

The question being, "Shall [H 291](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Clow, Collins, Crane, Dayley, DeMordaunt, Gestrin, Gibbs, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, Loertscher, Luker, Malek, McDonald, McMillan, Mendive, Miller, Moyle,

Nielsen, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rudolph, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Mr. Speaker. Total – 53.

NAYS – Cheatham, Chew, Dixon, Erpelding, Gannon, Harris, King, Kloc, McCrostie, Nate, Nye, Rubel, Rusche, Scott. Total – 14.

Absent – Monks, Wood, Youngblood. Total – 3.

Paired Votes:

AYE – Anderst NAY – Chew

AYE – Boyle NAY – Rusche

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that [H 291](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[HJM 9](#) - SAGE-GROUSE

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [HJM 9](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [HJM 9](#) be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Burtenshaw, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Mr. Speaker. Total – 66.

NAYS – None.

Absent – Boyle, Chew, Monks, Youngblood. Total – 4.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [HJM 9](#) was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gestrin to open debate.

The question being, "Shall [HJM 9](#) be adopted?"

Whereupon the Speaker declared [HJM 9](#) adopted by voice vote and ordered the memorial transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

16TH ORDER Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Thursday, March 26, 2015. Seconded by Mr. Crane. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:28 p.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk